

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jørn Borch SØE
U.S. Serial No. : To be Assigned
Filing Date : Herewith
Int'l Appln. No. : PCT/IB99/01354
Int'l Filing Date : 20 July 1999
Earliest Priority Date : 21 July 1998
For : FOODSTUFF


745 Fifth Avenue
New York, NY 10151

EXPRESS MAIL

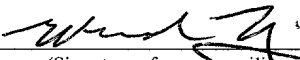
Mailing Label Number. EL742666006US

Date of Deposit: December 28, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, DC 20231.



(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Dear Sir:

Preliminary to the examination of this U.S. application, please enter the following amendments:

IN THE SPECIFICATION:

Page 1, below "FOODSTUFF" please insert:

--RELATED APPLICATIONS

This application is the continuation-in-part of PCT/IB99/01354, filed July 20, 1999, designating the U.S. and published as WO 00/05396, with claims of priority from Great Britain application nos. 9815905.6, filed July 21, 1998 and 9824758.8, filed November 11, 1998. All of the foregoing applications, as well as all documents cited in the foregoing applications ("application documents") and all documents cited or referenced in application documents are hereby incorporated herein by reference. Also, all documents cited in this application ("herein cited documents") and all documents cited or referenced in herein cited documents are hereby incorporated herein by reference.

IN THE CLAIMS:

Please cancel claims 1-29 and replace them with 30-43:

--30. A process for preparing a foodstuff suitable for consumption comprising an emulsifier, the process of comprising the steps of

- (i) providing a food material containing triglyceride;
- (ii) contacting the food material with an enzyme such that an emulsifier is generated by the enzyme from the triglyceride;
- (iii) inactivating or denaturing the enzyme to provide the foodstuff comprising the emulsifier, triglyceride and the enzyme in an inactive form or a denatured form.

31. A process according to claim 30 wherein the enzyme is selected from lipase, esterase, derivatives and mixtures thereof.

32. A process according to claim 30 wherein the enzyme is isolated from a plant, an animal or a micro-organism.

33. A process according to claim 32 wherein the micro-organism is selected from *Aspergillus niger*, *Rhizopus delemar*, *Rhizopus arrhizus*, *Mucor miehei*, *Pseudomonas sp.*, *Candida rugosa*, *Pencilium roqueforti*, *Pencilium cyclopium*, *Aspergillus tubingensis*, *Candida cylindracea*, *Thermomyces lanuginosus*, *Mucor javanicus*, *Candida antartica*, *Chromobacterium viscosum*, *Pseudomanas fluoroescens*, *Psuedomonas nitroeducans*, *Chromobacterium viscosum*, *Bacillus subtilis* mutants and combinations thereof.

34. A process according to claim 30 wherein the emulsifier is generated from the triglyceride and a second constituent of the food material.

35. A process according to claim 34 wherein the second constituent is hydrophilic.

36. A process according to claim 34 wherein the second constituent is selected from a constituent comprising a hydroxy group (-OH), polyvalent alcohols, including glycerol; water, ethanol, sugars including sucrose, fructose, glucose (dextrose), lactose, and galactose; dextrans including maltodextrin, sorbitol, mannitol, fruit acids and hydroxy acids including citric acid, tartaric acid, lactic acid and ascorbic acid; mixtures and derivatives thereof.

37. A process according to claim 34 wherein the second constituent is selected from proteins, amino acids, protein hydrolysates, peptides (partly hydrolysed protein), derivatives and mixtures thereof.

38. A process according to claim 30 wherein the foodstuff is selected from baked goods, including breads, cakes, muffins, doughnuts, biscuits, crackers and cookies; confectionery, including candies, caramels, chocolate and puddings; frozen products, preferably frozen dairy products, including ice cream and ice milk; dairy products, including coffee cream, whipped cream, custard cream, milk drinks and yoghurts; meat products, including processed meat products; edible oils and fats, including w/o emulsions, o/w emulsions, margarine

shortening and spreads; fine foods, including sauces and mayonnaise.

39. A process according to claim 34 wherein the foodstuff comprises at least the emulsifier and a second functional ingredient, and wherein the emulsifier and the second functional ingredient have been generated from the triglyceride and a second constituent of the food material by the enzyme.

40. A process according to 39 wherein the second constituent is a sugar or a sugar alcohol, more preferably ascorbic acid.

41. A foodstuff obtained by a process as defined in claim 30.

42. A process substantially as hereinbefore described with reference to the Examples.

43. A foodstuff substantially as hereinbefore described with reference to the Examples.--

IN THE ABSTRACT:

Please add the Abstract attached hereto as a separate sheet.

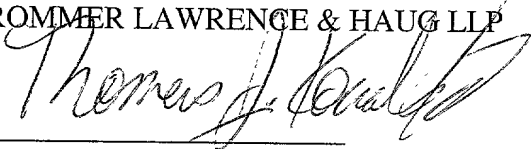
REMARKS

This application includes multiple claim dependencies. The amendment removes the multiple claim dependencies, and the filing fee for this application was computed on the basis that no dependent claim depends from more than one preceding claim.

Entry of this amendment and an early examination on the merits are respectfully solicited.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:


Thomas J. Kowalski
Reg. No. 32,147
(212) 588-0800

003227 06505750